

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ANTHONY W. SOTIN,

Plaintiff,

v.

SPOKANE COUNTY
PROBATION DEPARTMENT,
KARLA COLBERT-McNEILLY,
SERENA TREGALLIS, MARCI
CROCKER, SHANNON
KOUTECKY, and DONNA
McBRIDE,

Defendants.

NO. CV-05-230-RHW

**ORDER GRANTING
PLAINTIFF'S MOTION TO
DISMISS WITHOUT
PREJUDICE**

Before the Court is Plaintiff's Motion to Dismiss Without Prejudice (Ct. Rec. 11). The motion was heard without oral argument.

Plaintiff asks that his complaint be dismissed without prejudice. Plaintiff filed his complaint on August 2, 2005. On September 26, 2005, the Court entered an order allowing Plaintiff to amend his complaint (Ct. Rec. 7). Defendants have not filed an answer to the complaint.

Pursuant to Fed. R. Civ. P. 41, a plaintiff may dismiss an action by filing a notice of dismissal at any time before service by an adverse party of an answer or motion for summary judgment.

Accordingly, **IT IS HEREBY ORDERED:**

1. Plaintiff's Motion to Dismiss Without Prejudice (Ct. Rec. 11) is **GRANTED.**

**ORDER GRANTING PLAINTIFF'S MOTION TO DISMISS WITHOUT
PREJUDICE ~ 1**

s/ Robert H. Whaley
ROBERT H. WHALEY
Chief United States District Judge

**ORDER GRANTING PLAINTIFF'S MOTION TO DISMISS WITHOUT
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